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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/665,757	09/20/2000	John J. Pereless	304.117/09809287	8033

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EXAMINER

OUELLETTE, JONATHAN P

ART UNIT

PAPER NUMBER

3629

DATE MAILED: 10/28/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/665,757

Applicant(s)

PERELESS ET AL.

Examiner

Jonathan Ouellette

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 9/20/2000, 10/4/2000, and 2/25/02.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claim 6 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claim 6 describes a method, wherein the application for tracking source information is used to track a headhunter's efficiencies.
3. The specification only describes a method of tracking the source of a resume obtained from one of a plurality of warehouses. The specification does not describe tracking the number of attempted searches to a warehouse, nor does it teach or suggest how one might obtain the number of job candidates generated or the number of hires generated.

### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 3629

5. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wiens et al. (US 6,363,376) in view of Reuning (US 6,381,592).
6. As per independent Claims 1 and 8-10, Wiens discloses a service provider node comprising: a client program for accessing web, gopher and other Internet sites that allows users to read documents and navigate between the documents stored in a plurality (at least one) of data warehouses; a communication link with the plurality (at least one) of data warehouses; a communication link with at least one client (Abstract, C6 L26-67, C7 L1-46, C9 L33-62, C10 L10-25, Fig.1-2, Fig.12).
7. Wiens does not specifically disclose documents stored in a plurality of *resume* warehouses.
8. However, Wiens does disclose a method of obtaining employer data for applicants from employer (job opening) warehouses (Abstract, C6 L26-67, C7 L1-46, C9 L33-62, C10 L10-25).
9. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included the ability for employers to search resume warehouses in the system disclosed by Wiens, for the advantage of providing an employment system with searching capabilities for both employers and candidates.
10. Wiens also fails to disclose an application for parsing job applicant data from the plurality (at least one) of resume warehouses; an application for collecting the parsed resume data and storing the parsed resume data in a database.
11. Reuning teaches an application for parsing job applicant data from the plurality (at least one) of resume warehouses; an application for collecting the parsed resume data and storing the

Art Unit: 3629

parsed resume data in a database (Abstract, C3 L64, C4 L19-29, C6 L53-67, C7 L38, C11 L17-44, C12 L1-25).

12. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included an application for parsing job applicant data from the plurality (at least one) of resume warehouses; an application for collecting the parsed resume data and storing the parsed resume data in a database, as disclosed by Reuning in the system disclosed by Wiens, for the advantage of providing an employment system with the ability to store specific details from an applicant's resume, in order to supply an employer with a detailed summary of possible job candidates.
13. As per Claim 2, Wiens and Reuning disclose wherein the client program is a proprietary browser (Wiens: Abstract, C6 L26-67, C7 L1-46, C9 L33-62, C10 L10-25, Fig.1-2, Fig.12).
14. As per Claim 3, Wiens and Reuning disclose wherein the database is local to the service provider (Wiens: Abstract, C6 L26-67, C7 L1-46, C9 L33-62, C10 L10-25, Fig.1-2, Fig.12).
15. As per Claim 4, Wiens and Reuning disclose wherein the resume data in the database is used to generate form letters (Reuning: Abstract, C3 L64, C4 L19-29, C6 L53-67, C7 L38, C11 L17-44, C12 L1-25).
16. As per Claim 5, Wiens and Reuning disclose an application for tracking source information of the job applicant data (Wiens: Abstract, C6 L26-67, C7 L1-46, C9 L33-62, C10 L10-25, Fig.1-2, Fig.12) (Reuning: Abstract, C3 L64, C4 L19-29, C6 L53-67, C7 L38, C11 L17-44, C12 L1-25).
17. As per Claim 6 as understood by the examiner, Wiens and Reuning disclose wherein the application for tracking source information is used to track a headhunter's efficiencies

Art Unit: 3629

(Wiens: Abstract, C6 L26-67, C7 L1-46, C9 L33-62, C10 L10-25, Fig.1-2, Fig.12)

(Reuning: Abstract, C3 L64, C4 L19-29, C6 L53-67, C7 L38, C11 L17-44, C12 L1-25).

18. As per Claim 7, Wiens and Reuning disclose wherein the form letters are communications with the job applicant (Reuning: Abstract, C3 L64, C4 L19-29, C6 L53-67, C7 L38, C11 L17-44, C12 L1-25).

### *Conclusion*

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
20. The following foreign patent is cited to show the best foreign prior art found by the examiner:

PCT No. WO 01/004811 A1 to Anderson et al.

Anderson discloses wherein an user is permitted to search for any job opening having criteria matching with a search criteria set by web station from several affiliate web sites.


21. The following non-patent literature is cited to show the best non-patent literature prior art found by the examiner:

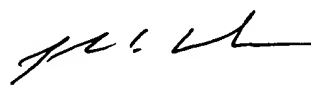
"Employment Publishing Launches Employment911.com to Provide No-Cost, One-Stop Solution for Job Seekers, Employers and Recruiters," PR Newswire, April 1, 2000.

Art Unit: 3629

PR Newswire discloses a system that gives employers the ability to search more than 40 online career sites.

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (703) 605-0662. The examiner can normally be reached on Monday through Thursday, 8am - 5:00pm.
23. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (703) 308-2702. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-3597 for After Final communications.
24. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-5484.

  
jo  
October 16, 2002

  
JOHN G. WEISS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600